

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-1126

September Term, 2017

NLRB-8CA038092

Filed On: September 28, 2017

Midwest Terminals of Toledo International,
Inc.,

Petitioner

v.

National Labor Relations Board,

Respondent

Consolidated with 15-1168

BEFORE: Tatel and Wilkins, Circuit Judges

ORDER

Upon consideration of the motion to recall the mandate and the response thereto, and the petition for rehearing, it is

ORDERED that the motion and petition be denied. The panel does not consider its prior order remanding the cases to the National Labor Relations Board to be inconsistent with the relief awarded in SW General, Inc. v. NLRB, 796 F.3d 67 (D.C. Cir. 2015), aff'd, 137 S. Ct. 929 (2017). See Noel Canning v. NLRB, 823 F.3d 76 (D.C. Cir. 2016) (holding that National Labor Relations Board was authorized to reconsider merits of case despite lack of express remand order).

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Ken Meadows

Deputy Clerk